

MICHAEL LI-MING WONG, SBN 194130
mwong@gibsondunn.com
THAD A. DAVIS, SBN 220503
tadavis@gibsondunn.com
KYLE A. WITHERS, SBN 269459
kwithers@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, CA 94105-0921
Telephone: 415.393.8200
Facsimile: 415.393.8306

Attorneys for Defendant ALVIN K. ONO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALVIN K. ONO,

Defendant.

CR 10-0371-WHA

APPENDIX TO DEFENDANT ALVIN K. ONO'S
PROGRESS REPORT AND UNOPPOSED MOTION TO
REMOVE HEARING OF NOVEMBER 19, 2013, FROM
THE COURT'S CALENDAR

1. Attached hereto as *Appendix A* is a true and correct copy of a letter from Captain Christopher Cole, Executive Officer, U.S. Army Battalion, certifying the date and attendance of Mr. Ono's October 8, 2013 presentation to 54 Army cadets at the University of Illinois at Chicago ROTC program.
2. Attached hereto as *Appendix B* is a true and correct copy of a letter from Marc Westenbarger, Senior Instructor, U.S. Army ROTC Battalion, certifying the date and attendance of Mr. Ono's October 15, 2013 presentation to 15 U.S. Army cadets at DePaul University's ROTC program.

3. Attached hereto as *Appendix C* is a true and correct copy of a letter from Captain Dax E. Burroughs, U.S. Army and Assistant Professor of Military Science at the University of Loyola Chicago, certifying the date and attendance of Mr. Ono's October 29 and 31, 2013 presentations to 40 U.S. Army cadets at the University of Loyola Chicago ROTC program.
4. Attached hereto as *Appendix D* is a true and correct copy of the Power Point slide deck used by Mr. Ono during all of the above-mentioned presentations.

Appendix A



1
DEPARTMENT OF THE ARMY
UNITED STATES ARMY BATTALION
UNIVERSITY OF ILLINIOS-CHICAGO
728 WEST ROOSEVELT ROAD (M/C 252)
CHICAGO, ILLINOIS 60607-4920

ATOW-IIL-IC

Date: 8 October 2013

MEMORANDUM FOR RECORD

SUBJECT: Mr. Alvin Ono Presentation

1. This is to certify that the Mr. Alvin Ono conducted a presentation to 54 Cadets at the University of Illinois at Chicago ROTC located at 728 W Roosevelt Road, Chicago, Illinois, 60607 on 8 October, 2013.
2. POC for this action is the undersigned at (312) 413-0894 or email: christopher.j.cole12.mil@mail.mil.


CHRISTOPHER J. COLE
CPT, SC
Executive Officer

Appendix B



DEPARTMENT OF THE ARMY
UNITED STATES ARMY ROTC BATTALION
LOYOLA UNIVERSITY
1144 WEST LOYOLA AVE
CHICAGO, ILLINOIS 60626

ATCC-CCI-LUC

15 OCT 15

MEMORANDUM FOR: RECORD

SUBJECT: Court Ordered Briefing

1. On 15 OCT 15, Mr. Alvin Ono conducted a brief to Cadets at DePaul University's Army ROTC Program which encompassed his felony statement and a presentation. It included a timeline of events for his actions as well as historical examples of military officials guilty of numerous felony charges.
2. His brief lasted approximately 20 minutes and was given to 15 cadets.
3. POC for this memorandum is Sergeant First Class Marc A. Westenbarger at 773-325-4472 or mwesten1@depaul.edu.

A handwritten signature in blue ink, appearing to read "M. Westenbarger", is positioned above the typed name.

MARC A WESTENBARGER
SFC, USA
Senior Military Instructor

Appendix C



**DEPARTMENT OF THE ARMY
UNITED STATES ARMY ROTC BATTALION
LOYOLA UNIVERSITY
1144 WEST LOYOLA AVE
CHICAGO, ILLINOIS 60626**


ATCC-CCI-LUC

31 OCT 2013

MEMORANDUM FOR: RECORD

SUBJECT: Mr. Alvin Ono Presentation

1. This memo is to certify that Mr. Alvin Ono conducted a presentation to a total of 40 Cadets at the University of Loyola Chicago ROTC located at 1144 W. Loyola Ave, Chicago, IL. 60626 on 29 and 31 October, 2013.
2. POC for this memorandum is the undersigned and can be reached at 773-508-8986 or by email at dax.e.burroughs.mil@mail.mil.



DAX E. BURROUGHS
Captain, U.S. Army
Assistant Professor of Military Science

Appendix D

Introduction

- My name is Alvin Ono and I have been convicted of a federal felony, in addition to two months of incarceration, I am required to speak to 100 people about my experience with the justice system. I pled guilty to obstruction of justice/destruction of records in 2012 and was sentenced in 2013.

Educational Background

- MS in Computer Science
 - University of Southern California
 - 1989
- BS in Electrical Engineering
 - University of Illinois at Chicago
 - 1988
- US Army - 1st Lieutenant in US Army Reserves (1988 to 1996)
- BS in Chemistry
 - University of Illinois at Urbana-Champaign
 - 1983

Work Experience

- **Executive Consultant**
 - Sun Ivy International
 - 2009 to present
- **Vice President, Asia** (excluding India, including China)
 - Veraz Networks
 - 2004 to 2008
- **Director of Business Development, Asia**
 - Tekelec
 - 2000 to 2004
- **Senior Marketing Manager/Member of Technical Staff (Software Design)**
 - Lucent Technologies
 - 1989 to 2000

Timeline of Events

- **SEC launches informal inquiry of Veraz Networks**
 - March 2008
 - Company does self investigation
 - Findings are reported to SEC after being reviewed by Board of Directors
- **Veraz Networks fined by SEC for violations**
 - late 2009
 - 300K fine
 - SEC releases a write up on the findings and the possible infractions
- **Obstruction of Justice/Destruction of Records Charges**
 - June 2010
 - Charged with 2 counts of Obstruction of Justice and 1 count of Destruction of Records
- **Plea deal and sentence**
 - Agree to guilty plea in 2012
 - Sentenced in Jan of 2013

Topics Related to Investigation

- Employee fraud
 - Sales manager in Indonesia inflated cost of cable and routers
 - Deal with reseller to receive kickback from inflated cost
- Improper Business Trips
 - Sales VP wanted to travel to Cambodia and Singapore for phony meetings
 - Sales Manager traveled to Philippines to visit girlfriend
- Improper Sales of Equipment
 - Sales team in India selling Media Gateway cards in Europe
 - Lucent Technologies Philippines sales team purchased switches to be sold elsewhere
- Business Expenses
 - Gifts, entertainment

Consequences

- Life has been on hold for the past 5 years
 - Continues as I am still not able to go back to work
 - Cannot travel or relocate without approval of the government
- Had to resign from my position at Veraz Networks in June of 2008
- Was unable to find employment since the investigation began and now it is even harder due to being a convicted felon
- Decided to start a consulting business in Asia
- Legal representation drained my financial resources, hundreds of thousands of dollars
- Strained relationships with family and friends

Conclusion – Lessons Learned

- Never consider anything that may result with anyone initiating an investigation into your behavior
- Do not give in to pressure from employers who are willing to endorse unethical behavior
 - Do not be afraid to stand up and fight for your beliefs
 - Do not be afraid to resign from a job if you do not agree with the ethics of your current situation
- Follow your gut instincts when you are in positions where you are responsible for questionable business practices
 - You are better off resigning than staying in a bad situation
 - It can only lead to problems down the road

Other Cases

Example: US Army, Cockerham Case

- US Army support contracts in Kuwait and Iraq were investigated.
- The case started with Major Gloria Davis. On December 11, 2006 CID agents questioned Davis at near the Baghdad International Airport (BIAP) after \$225,000 was discovered in offshore accounts under her name. According to investigators, the money came from bribes paid to Davis by Kuwait-based Lee Dynamics International, operated by an American contractor named George LeCamp Victory e. That night, after admitting that the money came from bribes, Davis committed suicide
- On 27 May 2011, federal indictments were unsealed against American businessmen George H. Lee, Jr. and his son, Justin W. Lee of Lee Dynamics International. The two were charged with bribing US Army contracting officers, probably including Davis and Cockerham, with airline tickets, spa vacations and more than \$1 million in cash to secure contracts
- The alleged ringleader of the accused officers was US Army Major John L. Cockerham, who was sentenced to 17 and 1/2 years in prison for accepting bribes from Army suppliers

Example: Cockerham case (cont)

- On February 1, 2008 John Cockerham pleaded guilty to bribery, [money laundering](#) and conspiracy to commit bribery On December 2, 2009 John Cockerham was sentenced to 17½ years in prison and fined \$9.6 million.
- In August 2008, as a result of a related investigation, Army Major James Momon, 37, pleaded guilty to taking \$5.8 million in bribes, of which he kept \$1.6 million with the rest going to Cockerham.
- Another colleague of Cockerham's, former US Army Major Christopher H. Murray, 41, pleaded guilty to receiving \$245,000 in kickbacks from Kuwait contracts.
- As of June 2012, Momon awaits sentencing. In December 2009 Murray was sentenced to four years, nine months in prison.
- As part of the investigation into Cockerham, federal investigators have begun a probe of retired Army Colonel Anthony B. Bell. Bell ran the Army's contracting office in Baghdad during the early stages of the Iraq War.
- Another Cockerham colleague, former US Army Major Eddie Pressley, 39, was charged with accepting \$2.8 million in bribes at Camp Arifjan.

Example: Cockerham case (Cont)

- On 1 March 2011, a federal jury convicted Major Eddie Pressley and his wife, Eurica Gaston Pressley. The two were charged with taking \$2.8 million in bribes in the Cockerham case, including \$1.5 million from United Arab Emirates-based importer Ohio Foodstuffs Trading.
- On 5 January 2012, Eddie Pressley was sentenced to 12 years and prison and was ordered to forfeit \$21 million, land, a vacation resort timeshare, and two vehicles.
- In a related case, former US Army major Charles J. Bowie Jr pleaded guilty to one count of money-laundering on 11 May 2011. In 2011, Justin W. Lee, the son of George H. Lee, also pleaded guilty. In a related case, retired U.S. Army sergeant Terry Hall was sentenced on 20 March 2012 to 39 months in prison. Hall had acted as a go-between with Cockerham and Momon while the crimes were committed.
- In a related case, on 25 June 2012 Army Sergeant 1st Class Richard Evick of Parsons, West Virginia, and Crystal Martin, a former master sergeant from Pontiac, Michigan, were convicted of 17 counts including bribery and money laundering. While at Camp Arifjan in 2005 and 2006, Evick accepted \$170,000 in bribes from two defense contractors. Martin then laundered the money through bank accounts in Kuwait

Example: Cockerham Case Summary

- **Summary- 19 people already have plead guilty in this case among them:**
 - Major Gloria Davis –
 - Major John L Cockerham – 17.5 years
 - Major James Momon – 1.5 years
 - Major Christopher H. Murray – 4 years
 - Major Eddie Pressley – 6 years
 - Major Charles J. Bowie Jr – 2 years
 - U.S. Army sergeant Terry Hall – 3.5 years
 - Sergeant 1st Class Richard Evick
 - Master Sergeant Crystal Martin
 -
 - There were also arrest's of family members of the above and other civilians

Example: Army Lt General

- A three-star Army general, Lt Gen Joeseeph Fil, improperly accepted gold-plated Montblanc pens, a \$2,000 leather briefcase and other gifts from a South Korean citizen while commanding U.S. troops in that country, newly released documents show.
- In Fil's case, Pentagon investigators concluded that he improperly accepted a \$1,500 gift of Montblanc Meisterstueck Classique roller-ball and ballpoint pens — with “gold-plated furnishings” — along with the \$2,000 briefcase. The name of the South Korean donor was redacted from the report, but he was described as someone whom Fil met in his official capacity as a U.S. Commander.
- Investigators also determined that Fil “allowed” a family member to accept a \$3,000 cash gift from the South Korean donor. The relative's name was also redacted from the report.
- Fil told investigators that he accepted the gifts in “good conscience,” believing that they were legal because the giver was a longtime personal friend. Investigators cast doubt on that explanation, however, noting that the South Korean did not speak English and that Fil had to communicate with him by “using hand and arm signals.”

Example: Army Colonel

- A US army colonel was Monday sentenced to four and a half years in jail for after he admitted soliciting more than 750,000 dollars in bribes from two South Korean firms seeking US military contracts.
- Colonel Richard James Moran sought the cash in exchange for influencing the award of millions of dollars in army contractsThe colonel commanded the United States Army Contracting Command Korea (USA-CCK) which approved more than 300 million dollars worth of military contracts annually.
- Moran in January pleaded guilty to two counts of conspiracy and one count of bribery.
- Judge Alicemarie Stotler, sitting in the Los Angeles-area city of Santa Ana, ordered 56-year-old Moran jailed for 54 months, or four and a half years, following his conviction on federal corruption charges.
- She said that while Moran had a "stellar military record," his bribery schemes rendered him a "profound disappointment to society."

Example: Army Captain

- A federal grand jury has returned an indictment charging Capt. Michael Dung Nguyen, 28, of Ft. Lewis, Wash., with theft of government property, money laundering and structuring financial transactions, U.S. Attorney for the District of Oregon Karin J. Immergut announced today
- Nguyen stole in excess of \$690,000 in U.S. currency that was entrusted to him in his role as the battalion Civil Affairs Officer in Muqdadiah
- The judge said, “As an officer of the U.S. Army and a graduate of West Point, Capt. Nguyen agreed to uphold the principles of ‘Duty, Honor, Country.’ The conduct alleged in today’s indictment is flagrant and reprehensible disregard of these principles”
- The investigation was joined by the FBI, the U.S. Army Criminal Investigation Division's Major Procurement Fraud Unit and Investigative Service. The case is being prosecuted by Assistant U.S. Attorney Scott Erik Asphaug
- The 28 year-old former Army civil affairs officer has received a 30-month prison sentence and at least three years of "post-prison" supervision.

Summary of Cases

- Col Richard Moran – 4.5 years in jail
- Capt Micheal Dung – 2.5 years in jail
- Major John L Cockerham – 17.5 years
- Major James Momon – 1.5 years
- Major Christopher H. Murray – 4 years
- Major Eddie Pressley – 12 years
- Major Charles J. Bowie Jr – 2 years
- U.S. Army sergeant Terry Hall – 3.5 years
- LTG Joeseph Fil – fired from Army
- Commander Micheal Misiewicz – up to 5 years
- Capt Edward Knotts – sentence pending